



Dennis J. Duffin
Director

The Commonwealth of Massachusetts

*Office of
Campaign & Political Finance
One Ashburton Place, Boston 02108
727-8352*

March 29, 1988
AO-88-10

John P. Burke
State Senator
The Senate
State House, Room 416C
Boston, MA 02133

Dear Senator Burke:

This letter is in response to your recent request for an advisory opinion concerning the application of section 14 of M.G.L. c.55 to the use by your political committee of the Holyoke Heritage State Park Museum to hold a fundraiser.

You have asked whether your committee would violate the provisions of section 14 of M.G.L. c.55 if they were to set up a collection table outside of the museum building on the park grass or side walks, near the museum.

Section 14 states, in pertinent part:

"No person shall in any building or part thereof occupied for state, county or municipal purposes demand, solicit or receive any payment or gift of money or other thing of value for the purposes set forth in section thirteen."

Section 13 refers to such purposes as "political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever..."

The campaign finance law thus regulates the use of public facilities for campaign finance purposes. In Anderson v. City of Boston Mass., 280 N.E. 2d 628 (1978), the Supreme Judicial Court stated that M.G.L. c.55 "demonstrates a general legislative intent to keep political fundraising out of...city and town halls." While this case dealt specifically with a municipality, this description of legislative intent applies equally to state and county buildings.

John P. Burke

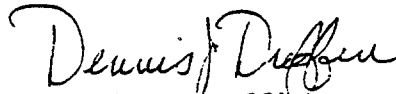
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In the opinion of this office, neither the requirements nor the intent underlying of the campaign finance law are met by having a fundraising event held in a state building while the actual collection activity associated with such an event takes place immediately outside of such building. The use of state buildings, together with their surroundings, for political fundraising purposes is clearly prohibited by M.G.L. c.55.

Please do not hesitate to contact this office should you have additional questions.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Dennis J. Duffin".

Dennis J. Duffin
Director

DJD/ba